

## Public Participation/Involvement Minimum Control Measure



**T**his fact sheet profiles the Public Participation/Involvement minimum control measure, one of six program areas an operator of a Phase II-regulated small municipal separate storm sewer system (MS4) is required to address as part of its National Pollutant Discharge Elimination System (NPDES) stormwater permit. This fact sheet offers some general considerations on strategies used by MS4s to implement public participation/involvement programs. It is important to keep in mind that the regulated small MS4 operator typically has flexibility in choosing exactly how to satisfy the public participation/involvement requirements in its NPDES permit.

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## Why Is Public Participation and Involvement Necessary?

The public can provide valuable input and assistance to a regulated small MS4's stormwater management program. Federal regulations specify that permits must require MS4s to give the public opportunities to play an active role in both the development and implementation of the program. An active and involved community is crucial to the success of a stormwater management program because it allows for:

- **Broader public support** since citizens who participate in the development and decision-making process are partially responsible for the program and, therefore, are more likely to be supportive of and even take an active role in its implementation.
- **Shorter implementation schedules** due to fewer obstacles in the form of public and legal challenges and increased resources in the form of citizen volunteers.
- **A broader base of expertise and economic benefits** since the members of the community will be able to provide a low-cost intellectual resource with personal knowledge of the water resources being protected by the stormwater management program.
- **A conduit to other programs** as citizens involved in the stormwater management program development process provide important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a stormwater program on a watershed basis, as encouraged by EPA.

## What Is Required?

All permitted small MS4s are required to implement a public involvement/participation program that complies with applicable state, tribal, and local public notice requirements.

Each permit specifies the minimum elements that must be included in each MS4's public involvement/participation program (e.g., specific timeframes for publication of the MS4's Notice of Intent (NOI) and stormwater management program for public comment, establishment of local advisory boards). These elements will differ from state to state although all permits will share the bottom-line requirement that the MS4 must implement a public involvement/participation program.

The EPA has compiled several examples from federal and state MS4 permits that address the public involvement/participation minimum control measure. These examples are included in a series of permit compendia available on the EPA's stormwater website. See particularly Section B (Public Involvement) in the EPA's [Compendium of MS4 Permitting Approaches – Part 1: Six Minimum Control Measures](#).

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## Considerations in Implementing of Public Involvement/Participation Programs

Operators of regulated small MS4s are encouraged to include the public in developing, implementing, updating, and reviewing their stormwater management programs. The public participation program should make every effort to reach out and engage all economic and ethnic groups. EPA recognizes that there may be challenges associated with public involvement, however, many of these challenges can be overcome through a deliberate and inclusive program. Challenges and example practices that can help ensure successful participation are discussed below.

### Implementation Challenges

One recommended way to handle common notification and recruitment challenges is to understand the audience and think creatively about how to gain its attention and interest. Traditional methods of soliciting public input are not always successful in generating interest, and subsequent involvement, in all sectors of the community. For example, municipalities often rely solely on advertising in local newspapers to announce public meetings and other opportunities for public involvement. Since there may be large sectors of the population who do not read the local press, the audience reached may be limited. Therefore, alternative advertising methods should be used whenever possible, including website postings, radio or television spots, postings at bus or subway stops, announcements in neighborhood newsletters, announcements at civic organization meetings, distribution of flyers, mass mailings, door-to-door visits, telephone notifications, and multilingual announcements. These efforts should be tied closely to the related efforts to implement the public education and outreach program (see Fact Sheet 2.3).

In addition, advertising and soliciting help with the stormwater management program should be targeted at specific population sectors, including ethnic, minority, and low-income communities; academia and educational institutions; neighborhood and community groups; outdoor recreation groups; and business and industry. The goal is to involve a diverse cross-section of people who can offer a multitude of concerns, ideas, and connections during the program development process.

### Possible Program Elements

There are a variety of practices that could be incorporated into a public participation and involvement program, such as:

- **Public meetings/citizen panels** allow citizens to discuss various viewpoints and provide input concerning appropriate stormwater management policies and BMPs.
- **Volunteer water quality monitoring** gives citizens firsthand knowledge of the quality of local water bodies and provides a cost-effective means of collecting water quality data.
- **Volunteer educators/speakers** who can conduct workshops, encourage public participation, and staff special events.

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- **Storm drain stenciling** is an important and simple activity that concerned citizens, especially students, can do.
- **Community clean-ups** along local waterways, beaches, and around storm drains.
- **Citizen watch groups** can aid local enforcement authorities in the identification of polluters.
- **“Adopt A Storm Drain” programs** encourage individuals or groups to keep storm drains free of debris and to monitor what is entering local waterways through storm drains.

## For Additional Information

### Contacts

A list of contacts for the U.S. EPA’s Office of Wastewater Management (Headquarters), each EPA regional office, and state office is located at <https://www.epa.gov/npdes/contact-us-stormwater>

### Your NPDES Permitting Authority

Most states and territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

- American Samoa
- District of Columbia
- Guam
- Johnston Atoll
- Massachusetts
- Midway and Wake Islands
- New Hampshire
- New Mexico
- Northern Mariana Islands
- Puerto Rico
- Most Indian country lands

## Reference Documents

- [EPA’s Stormwater Website](#)
- [Stormwater Phase II Final Rule \(64 FR 68722\)](#)
- [Final MS4 General Permit Remand Rule \(81 FR 89320\)](#)
- [Final Small MS4 Urbanized Area Clarification \(88 FR 37994\)](#)
- [Stormwater Phase II Rule Fact Sheet Series](#)
- [National Menu of Best Management Practices for Stormwater Phase II](#)
- [MS4 Permits – Compendium of Clear, Specific, and Measurable Permitting Examples](#)

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